

REMARKS

Reconsideration of the present application is respectfully requested for the reasons that follow.

Claim Objections

Claim 54 is objected to for its language relating to databases which the Examiner argues is unclear. Claim 54 has been amended to refer to a first database (which stores a set of supports and a set of skills, etc.) and a second database (which stores student responses and assessments, etc.) to overcome this objection.

Rejections under 35 USC § 102

Claims 1-5, 8-20, 24, 25 and 67-76 are rejected under 35 USC § 102 as being anticipated by Barrabee. Independent claims 1 and 73 have been amended, and new claim 77 has been added, to clarify the distinctions between the claimed invention and the teachings of Barrabee. Barrabee discloses a student interactive teaching system which allows a student to learn at a level of skill appropriate to the student's achievements and abilities. Barrabee teaches presenting a learning task to a student (col. 2, ll. 41-43), presenting to the student a level of support enabling the student to achieve a pre-defined level of performance (col. 2, ll. 44-60; col. 9, ll. 27-38) and then determining the level of support necessary for the student to achieve the predefined level of performance based on the level of support provided (col. 8, ll. 3-68). Barrabee identifies "support" as repeating segments and/or unmasking selected portions of the audio or video presentation from the original segment (col. 7, ll. 24-26; col. 9, ll. 27-38).

The invention of this application, on the other hand, has significant features which Barrabee does not teach. Barrabee does not disclose "advancing

the student, without input from the student" through a learning task (claim 1). This additional feature in the instant invention would allow, for example, a teacher to supplement a traditional curriculum, wherein the teacher determines the educational framework that the system will provide. In addition, Barrabee does not disclose "advancing the student ... to a second learning task" based on "the level of support presented to enable the student to achieve the pre-defined level of proficiency" (claim 1). Thus, a feature of the instant invention is that the level of support necessary for a student to attain success at a given level of the curriculum can drive the progression through the curriculum. Barrabee, however, teaches that the "student advances to the next data segment when he/she believes a good understanding of the data has been achieved" (col. 2, ll. 54-60). Thus, in Barrabee it is the student that controls progression through the various learning levels, and not the educational system itself. Finally, the instant invention teaches that "support" can be audio-visual information (claim 77). The specification teaches that this audio-visual information can be in a picture, auditory or print format (para. 55) and can be derived from a variety of sources, including a dictionary, encyclopedia or atlas (para. 155). Thus, support in the instant invention is not limited to repeating segments from the original lesson as in Barrabee.

Claim 1 has been amended to incorporate the distinguishing features discussed above. This amendment to claim 1 and the additional deficiencies noted above, distinguishes the instant invention from Barrabee thus eliminating Barrabee as the basis of a 35 USC § 102 rejection. In addition, claims 2-5, 8-20, 24, 25 and 67-72 depend from claim 1, either directly or through linking claims, and thus this 35 USC § 102 rejection has been obviated for those claims as well. Independent claim 73 has been similarly amended and thus the 35 USC § 102 rejection has been obviated for that claim, as well as for claims 74-76 which depend from claim 73.

Rejections under 35 USC § 103(a)

Claims 21-23 are rejected under 35 USC § 103(a) as being obvious over Barrabee in view of Wasowicz. As discussed above, Barrabee does not teach all of the elements of the instant invention, and Wasowicz does not provide these missing elements to overcome Barrabee's deficiencies. Wasowicz does not teach "advancing the student, without input from the student" through a learning task, or "advancing the student ... to a second learning task" based on "the level of support presented to enable the student to achieve the pre-defined level of proficiency" (claim 1, upon which claims 21-23 depend through linking claims). In addition, Wasowicz does not teach the above referenced features regarding the audio-visual support. The Examiner cites Wasowicz for teaching a task that involves a language matching skill.

Claims 54-57 are rejected under 35 USC § 103(a) as being obvious over Barrabee in view of Bloom. Bloom is deficient under the same reasoning as that provided above for Wasowicz.

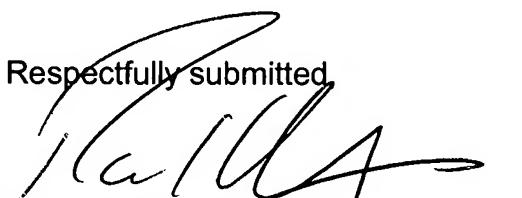
Claims 6 and 7 are rejected under 35 USC § 103(a) as being obvious over Barrabee alone. Claims 6 and 7 depend from claim 1. As discussed above, Barrabee has significant deficiencies when compared to the instant invention, and thus does not anticipate nor render obvious the claimed invention.

Thus, the current claim amendments obviate the 35 USC § 103(a) rejections, as well.

New claim 77 has been added to encompass the reading comprehension learning task taught in the instant invention. Claim 77 shares the features of claim 1 which distinguish claim 1 from the art of record. Specifically, claim 77 teaches "advancing the student to a subsequent ... learning task ... when the student has completed all of the trials in the previous ... task." This is similar to the "advancing the student, without input from the student" element in claim 1

and distinguishes claim 77 from Barrabee in that, again, Barrabee requires that the student be advanced to the next level when the student "believes a good understanding of the data has been achieved" (col. 2, ll. 54-60). Claim 77 teaches further that the student's audio-visual support level is adjusted following a successful trial. A successful trial is defined in claim 77 as a trial where the "ending audio-visual support level provides the same support as the beginning audio-visual support level." This is similar to the element claim 1 regarding "advancing the student ... to a second learning task" based on "the level of support presented to enable the student to achieve the pre-defined level of proficiency" and the discussion above distinguishing this claim element from Barrabee is also applicable here.

In view of the foregoing amendment and remarks presented herein, it is submitted that the present application is now in condition for allowance and withdrawal of all outstanding rejections and objections is requested. Reconsideration and allowance of the pending claims are requested. If any extension of time is required in connection with the filing of this paper and has not been requested separately, such extension is hereby requested. The Director is authorized to charge any fees or overpayment to Deposit Account No. 02-2135.

Respectfully submitted,

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